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DEPARTMENT OF VETERANS AFFAIRS POLICE
580 - MICHAEL E. DEBAKEY VAMC - HOUSTON - VISN 16
2002 HOLCOMBE BLVD.
HOUSTON, TX, 77030-4298

Incident Report

Reported by: **GARRETT, JOHN C**Incident Types Label **FEDERAL : CFR : 38 CFR 1.218(B) : [90C] - (11)** Incident Disposition **CLOSED****DISORDERLY CONDUCT**Offender **SMITH, JOHNATAN WESLEY (SUSPECT)**Report Disposition **CLOSED** Method of Reporting **VA EMPLOYEE**Report Recorder **GARRETT, JOHN C** Manager/Supervisor On Duty **Manager/Supervisor Notified** **YES**Incident Occurred Date **10/02/2020 at 0935** Incident Occurred End Date **10/02/2020 at 1000** Incident Discovered / Called In **10/02/2020 at 0935**Location **MICHAEL E. DEBAKEY VA MEDICAL CENTER - HOUSTON :** Specific Location**CBOCS/OPCS : CONROE CBOC**

Report Synopsis/Overview

A walk-in patient became loud and argumentative about his medical appointment which he missed the day before. Staff encourage him to relax and asked if he would stay to complete his appointment and lab. Patient refused medical treatment and departed without further incident.

Contact # 1 (VA EMPLOYEE)Full Name **PAM PATTERSON**Drivers License **13832548** Drivers LicenseState **TX** Email AddressAge **50** Date of Birth **1969-01-01** Gender **FEMALE** Race **WHITE**Department **MENTAL HEALTH** Title**Addresses**

Street Number 9199	Street Direction	Street Name PEGGY	Street Type DRIVE	Apt./Suite
City MONTGOMERY	State TX	Zip 77316	Country	Address Type

Contact # 2 (VA EMPLOYEE)Full Name **KAREN KAYE CARDIEL**Drivers License **13832548** Drivers LicenseState **TX** Email AddressPrepared By:
GARRETT, JOHN C(JOHN.GARRETT6@VA.GOV)Submitted Date
10/02/2020 1426

Signature

Reviewed By/Date
 4/30/2021

VAPD Officer informed by COPC Staff of a loud and agitated patient in the room 3A-105. Officer Garrett responded.

On 02 Oct 20, Veteran Affairs (VA) Police Officer J. Garrett, assigned to the VA Conroe Outpatient Clinic (COPC), was alerted by COPC staff of a loud and agitated patient in 3A-105.

On 02 Oct 20, I was notified by License Vocational Nurse Pam Patterson (E-2123) and RN Kim Cardael (E-0671) about a patient who was in a manic state, argumentative and loud. When VA Police tried to ask the patient what his name was, he stated that I did not have jurisdiction over him and the clinic, and I was a public servant. I tried to identify myself as VA Police Officer when he interrupted me again and talked over me. The patient also stated he wanted the supervisor of the clinic to come to the room and he would not leave until he saw a doctor.

To de-escalate the situation, I backed away from the doorway to give him time to calm down from his manic state and stayed in the hallway outside the door. The nurse manager Pedro Leon (E9618), arrived to talk with the patient and encouraged him to relax and listen to the recommendations of his nurses. The patient was later identified by RN Cardel as Johnathan Smith (P-9204). The Nurse Manager requested laboratory work be completed at that moment and another appointment be scheduled for a future date. Mr. Smith was not escorted to the lab on the 4th floor because he decided to leave the clinic. I observed Smith get on his Can-Am (three wheeled motorcycle) and drive out of the parking lot. I did not issue a USDCVN due to his emotional manic state.

I interviewed RN Karen Cardiel (E-0671) who stated Smith presented to MH clinic as a walk-in. Cardiel stated Smith said someone told him to walk in to see a MH provider for medications. Smith was then informed he was being seen by Mental Health Nurse to schedule appointment with a MH provider. Smith became irate, and loud stating he had been trying to receive medications for two weeks. Smith was hyperverbal, manic, and not allowing her to finish speaking. Smith has not been seen for mental health before. Smith was informed the clinic was trying to contact him to complete his assessment which needed before being prescribed medications. Smith became argumentative, and stated he was not going to leave until he saw a supervisor of the clinic. Supervisors and Police were contacted for continued support. Dr. Nemirovskiy notified of a telehealth appointment with her at 3 pm for Veteran Smith and he was encouraged to complete his labs ordered yesterday from his PCP.

Smith declined medical treatment and left the clinic. No further police action taken. Request case be closed to file.

Prepared By:
GARRETT, JOHN C (JOHN.GARRETT6@VA.GOV)

Submitted Date
10/02/2020 1426

Signature

Reviewed By/Date



DEPARTMENT OF VETERANS AFFAIRS POLICE
580 - MICHAEL E. DEBAKEY VAMC - HOUSTON - VISN 16
2002 HOLCOMBE BLVD.
HOUSTON, TX, 77030-4298

Incident Report

Reported by: **CARROLL, SCOTT T**

Incident Types Label	FEDERAL : CFR : 38 CFR 1.218(B) : [90C] - (11) DISORDERLY CONDUCT (MISDEMEANOR)	Incident Disposition	CLOSED
Offender	SMITH, JONATHAN WESLEY (SUSPECT)		

Report Disposition	Method of Reporting	
CLOSED	OFFICER OBSERVED	
Report Recorder	Manager/Supervisor On Duty	Manager/Supervisor Notified
CARROLL, SCOTT T	SMTIH, NGENEO A	YES
Incident Occurred Date	Incident Occurred End Date	Incident Discovered / Called In
12/08/2020 at 1325	12/08/2020 at 1410	12/08/2020 at 1325

Location	Specific Location
MICHAEL E. DEBAKEY VA MEDICAL CENTER - HOUSTON :	MAIN LOBBY
CBOCS/OPCS : CONROE CBOC	

Report Synopsis/Overview

VA Police escorted a Veteran who is known to be disruptive and disorderly to and from the screening area of the COPC. Medical Staff elected to negate security measures thus limiting law enforcement action. Veteran then departed the COPC without further incident but was issued a citation for disorderly conduct. Recommend review by the IRAC committee.

Contact # 1 (SUSPECT)

Full Name

JONATHAN WESLEY SMITH

Age	Date of Birth	Gender	Race
39	01/29/1981	MALE	BLACK
Height	Weight	Hair Color	Eye Color
6'03"	200	BROWN	BROWN
Approx. Age	Demeanor	Build	Clothing
35-44		MEDIUM BUILD	

Addresses

Street Number	Street Direction	Street Name	Street Type	Apt./Suite
5934		BEESTON HALL		COURT
City	State	Zip	Country	Address Type
SPRING	TX	77388		

Phones :

(N/A) 8325606552

Contact # 2 (WITNESS)

Full Name

CHRISTIE LOOP

Prepared By:

CARROLL, SCOTT T(SCOTT.CARROLL@VA.GOV)

Submitted Date

12/25/2020 1553

Signature

Reviewed By/Date

Age	Date of Birth	Gender	Race
		FEMALE	WHITE
Department	Title		
MEDICAL SERVICE	REGISTERED NURSE		
Addresses			
Street Number	Street Direction	Street Name	Street Type
690	SOUTH	336 WEST	LOOP
City	State	Zip	Country
CONROE	TX	77304	Address Type
Phones :			
(N/A) 9365224000			

Contact # 3 (WITNESS)

Full Name

PEDRO LEON

Age	Date of Birth	Gender	Race
		MALE	HISPANIC

Addresses

Street Number	Street Direction	Street Name	Street Type	Apt./Suite
690	SOUTH	LOOP 336 W	LOOP	
City	State	Zip	Country	Address Type
CONROE	TX	77301		

Phones :

(N/A) 9365254000

Narrative text

On 8 Dec 2020, I, Veteran Affairs (VA) Police Department (VAPD) Officer Scott Carroll, assigned to the VA Conroe Out-patient Clinic (COPC) in Conroe, Texas; investigated a disorderly conduct incident at the COPC. The results of that investigation and events preceding said investigation were as follows.

In events preceding this investigation, I had the occasion to investigate and interview patient Jonathan Smith (P-9240) as documented under Incident Report (IR) 580201166 dated 25 Nov 2020. That knowledge was furthered by the investigation and criminal charges for disorderly conduct of Smith as documented under IR 580201192 dated 7 Dec 2020 as written by VAP Officer Jason Armstrong. Officer Armstrong had briefed me of the 7 Dec 2020 incident later that day. That knowledge was furthered by the investigation of disorderly conduct of Smith as documented under IR 580200963 dated 2 Oct 2020 as written by VAPD Officer John Garrett and as discovered by my search of Smith in VAP computer system. Collectively, my knowledge of Smith included numerous examples of rude, vulgar, loud language, disorderly conduct, disruptive behavior and fear amongst COPC staff of Smith's behavior and escalation of violence.

It was with above knowledge, I had discussed security concerns of Smith's upcoming scheduled and possible non-scheduled visits at the clinic with Administrative Officer (AO) Murray on 7 Dec 2020 (the day preceding this investigation). That discussion led to a plan to provide non-invasive medical care to Smith in a secluded/private area of the building lobby. That lobby is the site of the COVID-19 screening which included a temperature check and questionnaire of medical symptoms of patients seeking admission to the COPC. The procedure scheduled for Smith was that of a blood pressure check for 8 Dec 2020 at 1:00 p.m. I then planned on meeting Smith at that time/place to explain the above procedure and ensure the safety of COPC staff.

On 8 Dec 2020 at 1:25 p.m., I observed Smith enter the COPC lobby where he conducted COVID-19 screening as noted above. Following that screening, I, attired in police uniform and recognized by Smith, introduced myself and attempted to explain the scheduled blood

Prepared By:

CARROLL, SCOTT T(SCOTT.CARROLL@VA.GOV)

Submitted Date

12/25/2020 1553

Signature**Reviewed By/Date**

pressure test to be conducted at the building lobby. Smith immediately stated to effect, "I don't have to talk to you. I have an appointment". I repeated my attempts to explain and provide the scheduled blood pressure test as planned above. Smith talked over my repeated attempts at explanation, offers of assistance by stating to effect, "Your not my Doctor. You can't talk to me. I don't have to listen to you" at which time Smith's voice became louder and louder.

Smith then used his cell phone to video record me while making audio statements of unfair treatment by myself and his denial of medical care. Smith then stated he would call the Conroe Police Department (CPD). Although unclear who (if anybody) Smith spoke to following that statement, Smith proceeded to talk into his phone describing his denial of medical care (offered repeatedly), his legal rights and distorted history of his previous encounter and charge of disorderly conduct that had occurred the previous day.

Concurrent with above actions, Smith made repeated complaints of chest pain. On each complaint of chest pain, I offered to call 911. Each offer of assistance was countered by Smith stating "No" or deflective comments to effect, "I want my doctor". During said complaints, Smith engaged several visitors entering and leaving the building lobby with statements to effect, "I need help", "The VA wont see me", "I need a Doctor" the VAPD are illegally detaining me. Those statements to unknown visitors caused pedestrian traffic to be interrupted with several unknown visitors showing apparent fear of Smith as evident by shocked facial expressions and purposeful walking well clear of Smith.

Smith's actions, inciteful statements, loud voice and disruptive activity ceased with the arrival of COPC Nurse Manager, RN Pedro Leon. RN Leon had arrived at the lobby to asses the situation and provide medical care as needed. I attempted to inform RN Leon of Smith's history, current actions and security concerns I had for COPC staff. That briefing was made incomplete by RN Leon leaving my brief to attend to the loud and disruptive Smith. RN Leon managed to calm Smith down with promise to check Smith's blood pressure in the COPC treatment room and not private/secluded portion of the previously planned. Upon said agreement, Smith appeared to have ceased having chest pain and used a lower tone and respectful voice in talking with RN Leon. The complete and sudden change of Smith's disorderly, disruptive behavior by achieving his stated goals of accessing the COPC was suggestive of manipulation of COPC staff and false statements concerning his "chest pain".

RN Leon then accompanied Smith to the COPC treatment room where Smith received medical evaluation and departed the COPC without further incident.

Present at the COPC building lobby during above incident was RN Christie Loop (the VA Screener) and VA Police Officer Kebler Velasquez.

As related to the building lobby being used by the VA for screening purposes, I had contacted the Building Manager, Mrs. Kim McVeay. Mrs. McVeay, representing the building owner, had authorized local law enforcement and I to cite Smith for any criminal offenses that occurred on building property outside the VA proper.

Based on above facts and circumstances, I found Smith had committed the crime of Disorderly Conduct as defined under 38 CFR (Code of Federal Regulations) 1.218(b) Rule 11. I then issued Smith United States District Court Violation 9580078(USDCVN) for said offense which will be sent via certified mail to Smith's address on file.

The adjudication of that offense will be documented in a supplemental report to this IR.

In addition to the above, this and similar previous incidents by Smith as noted above, will be sent to the Incident, Review and Assessment Committee (IRAC) for administrative review. That review will also included several Disruptive Behavior Reports of Smith as submitted by various COPC Employees.

This incident should be considered closed to file.

Prepared By:

CARROLL, SCOTT T(SCOTT.CARROLL@VA.GOV)

Submitted Date

12/25/2020 1553

Signature



Reviewed By/Date





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DEPARTMENT OF VETERANS AFFAIRS POLICE
580 - MICHAEL E. DEBAKEY VAMC - HOUSTON - VISN 16
2002 HOLCOMBE BLVD.
HOUSTON, TX, 77030-4298

Incident Report

Reported by: **ARMSTRONG, JASON W**

Incident Types Label	FEDERAL : CFR : 38 CFR 1.218(B) : [90C] - (11)	Incident Disposition	CITED AND RELEASED
	DISORDERLY CONDUCT		
Offender	SMITH, JONATHAN WESLEY (SUSPECT)		

Report Disposition	Method of Reporting	
CLOSED	VA EMPLOYEE	
Report Recorder	Manager/Supervisor On Duty	Manager/Supervisor Notified
ARMSTRONG, JASON W	SMTIH, NGENEO A	YES
Incident Occurred Date	Incident Occurred End Date	Incident Discovered / Called In
12/07/2020 at 1030	12/07/2020 at 1130	12/07/2020 at 1030

Location	Specific Location
MICHAEL E. DEBAKEY VA MEDICAL CENTER - HOUSTON :	CONROE CBOC - 3RD FLOOR
CBOCS/OPCS : CONROE CBOC	

Report Synopsis/Overview

VA Police were contacted due to a disorderly patient being upset because he felt he had been waiting too long. The patient began expressing his frustration by using profanity, and refusing to cooperate with staff. The patient was later issued a USDCVN for disorderly conduct and asked to leave the property. The patient refused and was escorted from the clinic with the assistance of Conroe Police.

Contact # 1 (VA EMPLOYEE)

Full Name			
DEBBIE MASON			
Age	Date of Birth	Gender	Race
52	05/08/1968	FEMALE	WHITE
Department		Title	
ADMINISTRATIVE SUPPORT		MSA SUPERVISOR	

Addresses

Street Number	Street Direction	Street Name	Street Type	Apt./Suite
690	SOUTH	336 WEST	LOOP	
City	State	Zip	Country	Address Type
CONROE	TX	77304		WORK

Phones :

(WORK) 9365224000

Contact # 2 (BUSINESS - VICTIM)

Business Name	Business Number
DEPARTMENT OF VETERANS AFFAIRS	7137911414

Prepared By:

ARMSTRONG, JASON W(JASON.ARMSTRONG@VA.GOV)

Submitted Date

12/07/2020 2128

Signature

Reviewed By/Date

Camy J Brown 04/15/2021

Addresses

Street Number 2002	Direction	Street Name HOLCOMBE	Street Type BOULEVARD	Apt./Suite
City HOUSTON	State TX	Zip Code 77030	Country	Address Type WORK

Contact # 3 (SUSPECT)

Full Name

JONATHAN WESLEY SMITH

Drivers License	Drivers License State	Email Address	
		JWSMITH1981@GMAIL.COM	
Age 39	Date of Birth 01/29/1981	Gender MALE	Race BLACK
Height 6'03"	Weight 200	Hair Color BROWN	Eye Color BROWN
Approx. Age 35-44	Demeanor	Build MEDIUM BUILD	Clothing

Addresses

Street Number 5934	Street Direction	Street Name BEESTON HALL	Street Type COURT	Apt./Suite
City SPRING	State TX	Zip 77388	Country	Address Type

Phones :

(N/A) 8325606552

Narrative text

On 07 DEC 2020, at 1030 hours, I, Officer Jason Armstrong, assigned as Unit #19, stationed at the Conroe CBOC located at 690 S Loop 336 W, Conroe, TX 77304. I was contacted at the police office in reference to disorderly conduct.

While observing the lobby area on the 3rd floor, I was informed by Lead MSA Debbie Mason (E-5177) that patient, Jonathan Smith (P-9240), was upset because he felt he had been waiting too long and began expressing his frustration by using profane language.

Mason stated she told Smith there was no appointment in the system for him and they could work him in as a walk-in, but he would have to be patient while that happened. Smith had just been taken back to the exam room to have his blood pressure taken. Smith stated he arrived at 0845 and claimed he had a 0900 hours appointment. Smith was taken back to the exam room at 1030 hours. Smith said "this is fucking bullshit".

I attempted to speak with Smith and informed him that he has to be patient and let things happen.

Smith refused to listen and said "you don't know what the fuck you are talking about and you don't even need to be here. I haven't done anything wrong."

Smith refused to cooperate and listen to reason. Conroe Police Department was contacted and Officers Troester, Badge #6168 and another officer responded. Troester was taking Smith's information and Smith put his hands in his pockets. Troester told Smith to remove his hands from his pockets. Smith refused and stated he hadn't done anything wrong. The officers moved to either side of Smith and immediately placed him in handcuffs. Smith yelled at the officers "this is bullshit and I haven't done anything wrong".

Prepared By:

ARMSTRONG, JASON W(JASON.ARMSTRONG@VA.GOV)

Submitted Date

12/07/2020 2128

Signature
Reviewed By/Date
4/15/2021

Smith's blood pressure was taken and he was escorted from the bldg. The handcuffs were removed from Smith by Officer Troester. No injuries were reported. I issued Smith a USDCVN for disorderly conduct and informed he was not to return for the remainder of the day. Conroe PD Officers told Smith to leave the property and do not return or he would be arrested for Criminal Trespass .

I recommend this case be closed to file following CVB Legal proceedings.

Prepared By:

ARMSTRONG, JASON W(JASON.ARMSTRONG@VA.GOV)

Submitted Date

12/07/2020 2128

Signature



Reviewed By/Date

Cay J Brown 4/15/2021



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DEPARTMENT OF VETERANS AFFAIRS POLICE
580 - MICHAEL E. DEBAKEY VAMC - HOUSTON - VISN 16
2002 HOLCOMBE BLVD.
HOUSTON, TX, 77030-4298

Incident Report

Reported by: **CARROLL, SCOTT T**

Incident Types Label	INCIDENTS : NON UCR INCIDENT : INFORMATION REPORT ONLY (NON-CRIMINAL)	Incident Disposition	CLOSED
Offender	SMITH, JONATHAN WESLEY (SUSPECT)		

Report Disposition	Method of Reporting	
CLOSED	VA EMPLOYEE	
Report Recorder	Manager/Supervisor On Duty	Manager/Supervisor Notified
CARROLL, SCOTT T	SMTIH, NGENEO A	YES
Incident Occurred Date	Incident Occurred End Date	Incident Discovered / Called In
11/25/2020 at 1310	11/25/2020 at 1623	11/25/2020 at 1310
Location	Specific Location	
MICHAEL E. DEBAKEY VA MEDICAL CENTER - HOUSTON :	3RD FLOOR LOBBY / TELEPHONE	
CBOCS/OPCS : CONROE CBOC		
Report Synopsis/Overview		

VA Police responded to a call for assistance involving a rude, vulgar patient. That patient had left the COPC upon the Officer's arrival. Subsequent phone contacts by same patient, using same rude and vulgar language, to several COPC staff members led to the officer to initiate a report for disorderly conduct. Investigation

Contact # 1 (SUSPECT)

Full Name

JONATHAN WESLEY SMITH

Drivers License	Drivers LicenseState	Email Address	
		JWSMITH1981@GMAIL.COM	
Age	Date of Birth	Gender	Race
39	01/29/1981	MALE	WHITE
Approx. Age	Demeanor	Build	Clothing
35-44	ANGRY		

Addresses

Street Number	Street Direction	Street Name	Street Type	Apt./Suite
59354		BEESTON HALL		COURT
City	State	Zip	Country	Address Type
SPRING	TX	77388		WORK

Phones :

(WORK) 8325606552

Contact # 2 (WITNESS)

Prepared By:

CARROLL, SCOTT T(SCOTT.CARROLL@VA.GOV)

Submitted Date

11/30/2020 0908

Signature

Reviewed By/Date

Full Name

ZULINES DEL TORO

Age Date of Birth

Gender
FEMALE

Race

HISPANIC

Department

MEDICAL SERVICE

Title

REGISTERED NURSE**Addresses**

Street Number	Street Direction	Street Name	Street Type	Apt./Suite
690	SOUTH	336 WEST	LOOP	
City	State	Zip	Country	Address Type
CONROE	TX	77304		WORK

Phones :

(WORK) 9365224000 EX 12000

Contact # 3 (WITNESS)

Full Name

CLARA BREAUX

Age Date of Birth

Gender
FEMALE

Race

WHITE

Department

ADMINISTRATIVE SUPPORT

Title

MEDICAL SUPPORT ASSISTANT**Addresses**

Street Number	Street Direction	Street Name	Street Type	Apt./Suite
690	SOUTH	336 WEST	LOOP	
City	State	Zip	Country	Address Type
CONROE	TX	77304		WORK

Phones :

(WORK) 9365224000

Contact # 4 (WITNESS)

Full Name

VENESSA A KLEIN

Age Date of Birth

Gender
FEMALE

Race

WHITE

Department

ADMINISTRATIVE SUPPORT

Title

MEDICAL SUPPORT ASSISTANT**Addresses**

Street Number	Street Direction	Street Name	Street Type	Apt./Suite
690	SOUTH	336 WEST	LOOP	
City	State	Zip	Country	Address Type
CONROE	TX	77304		WORK

Phones :

(N/A) 9365224000

Prepared By:

CARROLL, SCOTT T(SCOTT.CARROLL@VA.GOV)

Submitted Date

11/30/2020 0908

Signature**Reviewed By/Date***Scott Carroll**B 2/1/21*

Contact # 5 (WITNESS)

Full Name

SYREETA STEWART

Age	Date of Birth	Gender	Race
		FEMALE	BLACK
Height	Weight	Hair Color	Eye Color
		BLACK	BROWN
Approx. Age	Demeanor	Build	Clothing
		SHORT	

Department

ADMINISTRATIVE SUPPORT

Title

MEDICAL SUPPORT ASSISTANT

Addresses

Street Number	Street Direction	Street Name	Street Type	Apt./Suite
690	SOUTH	336 WEST	LOOP	
City	State	Zip	Country	Address Type
CONROE	TX	77304		WORK

Phones :

(N/A) 9365224000

Narrative text

On 25 November 2020, I, Veteran Affairs (VA) Police Department (VAPD) Officer Scott Carroll, assigned to the VA Conroe Out-patient Clinic (COPC) in Conroe, Texas; was informed by COPC Registered Nurse (RN) Zulines Del Toro of a possible disruptive patient. I then investigated that report. The results of that investigation were as follows.

Upon arriving at RN Del Toro's work area, I was informed possible disruptive patient, Jonathan Smith (P-9240) had since departed the COPC. RN Del Toro stated Smith had arrived at the COPC following phone call to RN Del Toro. In that phone call preceding visit, RN Del Toro had instructed Smith, based on his reported symptoms, not to come to the COPC but rather, seek medical assistance in nearest Emergency Room (ER). Smith was angry over that phone call, refused medical advice and hung up on RN Del Toro. That phone call was at approximately 9:30 a.m.

In Smith's visit to the COPC, Smith demanded laboratory studies not authorized by Smith's Physician, refused medical assessment by RN Del Toro and left the COPC with RN Del Toro unable to provide comprehensive medical assessment. That visit to the COPC was at approximately 10:30 a.m.

Smith then called the COPC and upon being transferred to RN Del Toro, used loud, vulgar language to complain about his medical care while refusing medical care offered by RN Del Toro. Concurrent with that phone call, was similar behavior to COPC Medical Support Assistant (MSA) Venessa Klein who initially answered Smith's call. That phone call was made by Smith at approximately 11:50 a.m.

See Witness Statement by RN Del Toro noting above.

Supporting the RN Del Toro's statement was statement from MSA Klein. In MSA Klein's statement, she described Smith using loud, vulgar language to demand to speak with Medical Doctor (MD) Rebello. In trying to assist Smith, he hung up on MSA Klein twice as MSA Klein persisted in providing medical assistance with transferring Smith the RN Del Toro (see RN Del Toro's phone call at 11:50 a.m.).

Smith then called MSA Klein at approximately 4:23 p.m. demanding to speak with MD Rebello. MSA Klein attempted to contact MD Rebello without success. MSA Klein then transferred Smith to her supervisor, MSA Breaux.

See Witness Statement by MSA Klein.

Prepared By:

CARROLL, SCOTT T(SCOTT.CARROLL@VA.GOV)

Submitted Date

11/30/2020 0908

Signature

Reviewed By/Date

Supporting MSA Klein's statement was statement from MSA Breaux. In MSA Breaux, statement, she received transferred call from MSA Klein. MSA Breaux then attempted to assist Smith in reaching MD Rebello without success as Smith was very demanding and hung up on MSA Breaux. Before hanging up, Smith stated to affect, "You have two options, either I speak with Doctor Rebello or I hang up and you deal with the consequences".

See Witness Statement by MSA Breaux.

Supporting above statements describing Smith's behavior was that of MSA Syreeta Stewart. MSA Stewart had checked Smith into the COPC upon Smith's visit to RN Del Toro as noted above. In that visit, Smith was very demanding, insisted on speaking to MD Rebello and not accepting the need to be screened by a RN before seeing a MD. Smith had called MSA Stewart after she checked him in to complain of his wait. Smith then met with RN Del Toro and departed the COPC.

See Witness Statement by MSA Stewart

Collectively, the above witness statements describe a pattern of loud, rude and vulgar phone calls and one actual visit by Smith demanded specific medical care/visit with MD Rebello while refusing/interrupting medical care other assistance provided by various COPC Staff Members. Although Smith made no direct threats or insults to Staff Members, his behavior caused stress, frustration and concern to several Staff Members who feared escalation of Smith's behavior.

Given the above facts and circumstances, I recommend Smith be referred to the Incident Review Assessment Committee (IRAC) for screening as a disruptive patient. This administrative action was concurrent with COPC Medical Staff filing a Disruptive Behavior Report and in finding no criminal violations to have occurred.

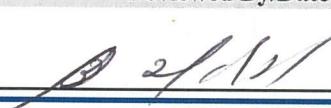
This incident should be closed to file.

Prepared By:

CARROLL, SCOTT T(SCOTT.CARROLL@VA.GOV)

Submitted Date

11/30/2020 0908

Signature**Reviewed By/Date**



VOLUNTARY WITNESS STATEMENT

Location: COPC

Date: 11/25/2020

I, Zulines Del Toro, residing at or employed at

COPC

make the following statement freely and voluntarily:

9³⁰ AM Patient X called and requested blood work for "heart attack". This writer instructed the patient to go to ER. He stated tha he was homeless and refused to go to ER. This writer contacted SW but patient refused her help. He got angry and hung up the phone.

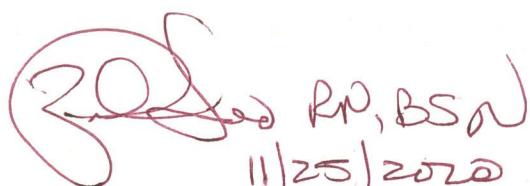
10³⁰ AM - Patient came to the clinic and refused assessment. He was demanding "blood work for heart attack". He left the clinic very upset. He requested a phone call from Dr. Rebello.

11:50AM

Patient called again and once again refused help from this writer. He yelled at me and used vulgar language. He stated that he will call his legal adviser. Patient continues to yell to this writer and refusing care. He was very abusive to the front desk staff.

12:54 - Patient spoke to DR Rebello via phone and he apologized.

(Declarant Initials)

VA FORM
JAN 1993 (R) 0024

11/25/2020

Page 1 of

Adobe Forms Designer 6.0

Location:

Date: 11/25/20

Venessa Klein

, residing at or employed at

VA CBOC

make the following statement freely and voluntarily:

I spoke with Veteran Smith, Jonathan about 1130/1145 when answering an incoming call. He had asked to speak with Dr. Rebello, I informed him she was in clinic but I will send a direct message to his PACT team (Dr. Rebello and Nurse) I asked if he had already left a message, he got very angry and stated he had ~~had~~ a heart attack and needed to have blood work testing done for his heart attack and he had already been to the clinic and sat in the parking lot for 3 hours and no one is helping him. He was very rude, used vulgar language was yelling several times during the conversation then hung up. I did call the veteran back and informed him that I was trying to assist him and he hung up the phone. I did let him know I was able to get a response back from the nurse he had seen earlier RN Del Toro, and transferred the call to RN Del Toro. Veteran called

VK
(Declarant Initials)

Page 1 of

2



Statement of

Venessa A. Klein

again around 10^{AM}, I answered the incoming call. I recognized his voice, and he demanded to speak with Dr. Rebello. I told him I would send a message to Dr. Rebello and Craig, the nurse and he said he would wait on the line. Several minutes passed and I did not get a response from PACT Team. I asked him if he would like to speak with Supervisor Clara because I was unable to get a response yet, and transferred the call to her, Clara Breaux

I have read/have had read to me the above statement consisting of 2 page(s), and certify that it is true and correct to the best of my knowledge.

No threats or promises have been made to me and no pressure or coercion of any kind has been used against me.

(Declarant) Signature

(Witness) Signature

25 Nov 20

(Date)

11/25/2020

(Date)

Page 2 of 2

Location:

Date: 11/25/20

I, Clara Breauk, residing at or employed at _____, make the following statement freely and voluntarily:

Conroe Outpatient

On 11/25/20 @ 1623

Ms. Klein asked if I could speak with patient Smith, Jonathan (9240) stating patient does not want to speak with anyone except Dr. Rebello. When Ms. Klein transferred the call, Veteran Smith stated he only wanted to speak with Dr. Rebello. When I told him she is in clinic and may not be able to speak with him. Patient stated his disability has dropped to 20% and Dr. Rebello is the only one who can help. I attempted to explain to the Veteran about his disability, patient stated "you have two options, either I speak with Dr. Rebello or I hung up and you deal with the consequences!" My response was, "I am trying to help you!" patient did not allow me to speak and hung up the phone.


(Declarant Initials)

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2



Statement of

I have read/have had read to me the above statement consisting of _____ page(s), and certify that it is true and correct to the best of my knowledge.

No threats or promises have been made to me and no pressure or coercion of any kind has been used against me.

Clare Bux
(Declarant) Signature

11/25/20
(Date)

Melissa K
(Witness) Signature

11/25/2020
(Date)

Page 2 of 2

Location:

Date: 11/25/2020

I, Syreeta Stewart

, residing at or employed at

Connie VA Clinic

make the following statement freely and voluntarily:

Pt arrived to my window agitated because he had been calling the clinic since 8am. Pt stated that he felt like he may have had a heart attack and wanted to see Dr. Rebello. I advised pt that I would check him in to see Dr. Rebello as a walkin. Pt left window and sat down to wait. Phone rang and it was pt on the line saying he just wanted to speak with Dr. Rebello because he thinks he may have had a heart attack. Pt stated he didn't want to speak with a nurse, that he wanted to talk to Dr. Rebello. Pt hung up phone then came back to my window and he said he didn't know why it was taking so long. He should have been called back. Pt got med then left clinic.



(Declarant Initials)